

**CITY OF MONROE  
CIVIL SERVICE COMMISSION  
MINUTES OF WEDNESDAY, MARCH 26, 2014**



Minutes of the Civil Service Commission Meeting held on Wednesday, March 26, 2014 at 8:30 a.m. in the First Floor Conference Room at Monroe City Hall.

**PRESENT:** President Vittoe and Commissioner Crutchfield.

**EXCUSED:** Commissioner Roberts.

**OTHERS PRESENT:** Tom Ready, Attorney  
Peggy Howard, H.R. Director  
Joseph Bentley, Firefighter

Michael Foley, Firefighter Vice President  
Manuel Hoskins, Fire Chief  
Michelle LaVoy, Clerk-Treasurer

The meeting was called to order by Commissioner Vittoe at 8:46 a.m.

Approval of Minutes.

It was moved by Commissioner Crutchfield and supported by President Vittoe to approve the minutes of the Civil Service Meeting held on Wednesday, December 11, 2013.

Ayes: 2 Nays: 0

**Motion carried.**

New Business.

A. Monroe Firefighters Local 326 Request for a Hearing – Grievances 13-3 and 13-4.

Commissioner Crutchfield asked if the grievance was filed in a timely manner and if the request is in compliance with Section 18.3 of the Civil Service Manual.

Tom Ready, Attorney, explained that the firefighters Collective Bargaining Agreement provides for the Civil Service Commission to conduct a hearing as one of the steps in the grievance procedure and that the Civil Service Manual provides in Section 18.4 that "Complaints and requests for hearing shall be filed with the Clerk by the employee within ten business days after the employee has been notified of the action against which the employee is complaining." He stated that if the appointing authority agrees that this step is proper under the Collective Bargaining Agreement that would control whether or not the complaint is timely. He further stated that he sent a memo to the Clerk's Office on February 28th suggesting that the matter be put on the agenda for today, noting that the complaint in his view was not in strict compliance with the manual since it was not signed by the person involved, it did not describe the facts of the incident, and it did not include copies of the documents being relied on. He suggested in the memo that the complaining party be invited to supply those particulars and that the respondent be asked to provide its position, after which a date could be scheduled for the hearing.

Commissioner Crutchfield felt that the Civil Service Manual should be followed and if it states that these things need to be presented in a timely manner then it should be done.

Tom Ready, Attorney stated that in his opinion there would be one exception; since the manual provides

that collective bargaining takes precedence over anything else, and if the Collective Bargaining Agreement has terms and conditions which would make this timely, then perhaps it should be considered.

Michael Foley, Firefighter Vice President, explained that there is no mechanism in the Civil Service Manual for the union to pursue this through the Commission; the manual is designed to accommodate an individual, but the grievance was brought by Local 326. He further stated that there were no timelines violated according to the Collective Bargaining Agreement.

Commissioner Crutchfield stated for future reference he will be relying on the Civil Service Manual for compliance from both parties. President Vititoe stated that they should also keep in mind that there are duties spelled out under the State Statute which would be the ultimate authority if the manual has a gap in it.

It was moved by President Vititoe and seconded by Commissioner Crutchfield that Local 326 deliver to the Clerk's Office a witness list, exhibits, the collective bargaining agreement, necessary complaint forms and any other relevant information by the close of business on April 8<sup>th</sup>, that the appointing authority respond to the Clerk's Office and Local 326 by the close of business on April 15<sup>th</sup> and that the meeting be scheduled for 8:30 a.m. on April 25<sup>th</sup>.

Ayes: 2 Nays: 0

**Motion carried.**

#### **Correspondence.**

A. Appointment of Michael Roberts and Matt Vititoe to the Civil Service Commission.

B. 2014 Meeting Schedule.

It was moved by Commissioner Crutchfield and seconded by President Vititoe that the 2014 meeting schedule be adopted.

Ayes: 2 Nays: 0

**Motion carried.**

Tom Ready, Attorney, reminded the Commission that a permanent President should be appointed by the Commission. The item will be placed on the April 25<sup>th</sup> agenda.

With no other business before the Commission, it was moved by Commissioner Crutchfield and supported by President Vititoe to adjourn the meeting at 9:10 a.m.

Ayes: 2 Nays: 0

**Motion carried.**

Michelle J. LaVoy  
Civil Service Secretary  
March 26, 2014